

REMARKS

Applicant and the undersigned than Examiner Bomar for his careful review of this application. Reconsideration of the present application in light of the above-amendments to the claims and in view of the following remarks is respectfully requested.

Claims 1-46 were pending.

Claims 5-8 were allowed.

Claims 1-4 and 9-49 were rejected.

Claims 1-4, 9-21, 26-29, 34-37, and 42-45 have been amended.

Thus, claims 1-49 are pending and under active prosecution. Applications respectfully request that the above amendments be entered, and further request reconsideration in light of the amendments and remarks contained herein. No new matter is added by the claim amendments. Allowance of all claims is respectfully requested.

OBJECTIONS TO DRAWINGS

The Examiner has objected to the drawings alleging copy machine marks and shaded areas in the tool make it difficult to discern one part from another. Applicants have submitted replacement drawing sheets, and respectfully request that the objection be withdrawn.

CLAIM REJECTIONS

The Examiner has objected to claims 19, 21, 27, 29, 35, 37, 43, and 45 alleging ‘the drill pipe’ lacks proper antecedent basis. Applicants have amended 19, 21, 27, 29, 35, 37, 43, and 45, and respectfully request that the objection be withdraw.

The Examiner has objected to claims 18, 20, 28, 34, 36, 42, and 44 alleging ‘at position above’ should be—at a position above—.” Applicants have amended claims 18, 20, 28, 34, 36, and 44, and submit that claim 42 is proper as presented. Withdrawal of the objection is respectfully requested.

The Examiner has objected to claim 28 alleging “sealingly off” in line 7 should be –sealing off—. Applications have amended claim 28 accordingly, and respectfully request that the objection be withdrawn.

REJECTION UNDER 35 U.S.C. § 102

Claims 26-30, 32, 42-46, and 48 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by the U.S. Application Publication No. 2006/0096762 to Brisco (hereinafter "Brisco"). The applicant respectfully disagrees.

Brisco discloses a system for radially expanding a wellbore casing in which an expansion cone 120 is displaced downwardly through a wellbore casing using fluid pressure. There is no disclosure or suggestion with Brisco of displacing the expansion cone 120 downwardly without using fluid pressure.

Claim 26, as amended, recites:

26. (Currently Amended) A method for forming a mono diameter wellbore casing, comprising:

connecting an expansion cone to a tubular support;

~~supporting~~anchoring an expandable tubular member [with]to the tubular support

at a position above the expansion cone;

then inserting the expandable tubular member into ~~the~~ a wellbore;

then expanding a first portion of the expandable tubular member with the

expansion cone;

then sealing off the first expanded portion of the expandable tubular member;

and

then pumping fluid into the expandable tubular member between the expansion

cone and the sealed off first expanded portion of the expandable tubular member to force the expansion cone through the expandable tubular member to expand a second portion of the expandable tubular member.

By contrast, in Brisco, no downward displacement of the expansion cone 120 to radially expand a wellbore casing can occur unless and until fluid pressure is applied to one side of the expansion cone. Thus, Brisco does not disclose or suggest the invention of claim 26.

Furthermore, for at least the same reasons, Brisco also does not disclose or suggest the invention of claim 27, that depends from claim 26.

Claim 28, as amended, recites:

28. (Currently Amended) A method for forming a mono diameter wellbore casing, comprising:

connecting an expansion device to a tubular support;

~~supporting~~anchoring an expandable tubular member [with] to the tubular support

at a position above the expansion device;

then inserting the expandable tubular member into the a wellbore;

then expanding a first portion of the expandable tubular member with the expansion device;

sealingly then sealing off the first expanded portion of the expandable tubular member; and

then pumping fluid into the expandable tubular member between the expansion device and the sealed off first expanded portion of the expandable tubular member to facilitate forcing the expansion device through the expandable tubular member to expand a second portion of the expandable tubular member.

By contrast, in Brisco, no downward displacement of the expansion cone 120 to radially expand a wellbore casing can occur unless and until fluid pressure is applied to one side of the expansion cone. Thus, Brisco does not disclose or suggest the invention of claim 28.

Furthermore, for at least the same reasons, Brisco also does not disclose or suggest the invention of claims 29-30, and 32, that depend from claim 28.

As presented, claims 42-46 and 48 include claim limitations drafted using “means plus function” language.

Because these claims are drafted using “means plus function” claim language (see 35 U.S.C. § 112, 6th paragraph), such language must be interpreted to read on only the structures or materials disclosed in the specification and “equivalents thereof” that correspond to the recited function. See MPEP § 2106. Put differently, when an element is claimed using language falling under the scope of 35 U.S.C. § 112, 6th paragraph, the specification must be consulted to determine the structure, material, or acts corresponding to the function recited in the claim. MPEP § 2111.01, citing *In re Donaldson*, 16 F.3d 1189 (Fed. Cir. 1994). Thus, with respect to claims 42-46 and 48, the specification must be examined to determine what means are disclosed.

Claim 42, as amended, recites:

42. (Currently Amended) A system for forming a mono diameter wellbore casing, comprising:

means for connecting an expansion cone to a tubular support;

means for ~~supporting~~anchoring an expandable tubular member [with]to the

tubular support at a position above the expansion cone;

means for inserting the expandable tubular member into ~~the~~ a wellbore;

means for expanding a first portion of the expandable tubular member with the expansion cone;

means for sealing off the first expanded portion of the expandable tubular member; and

means for pumping fluid into the expandable tubular member between the expansion cone and the sealed off first expanded portion of the

expandable tubular member to force the expansion cone through the expandable tubular member to expand a second portion of the expandable tubular member.

The “means for expanding a first portion of the expandable tubular member with the expansion cone” disclosed in the present application include the force multiplier 28 and expansion cone 24, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

The “means for sealing off the first expanded portion of the expandable tubular member” disclosed in the present application include the bottom packer 22, as shown in Figs. 3-4 and described at paragraphs [0020] to [0021].

The “means for pumping fluid into the expandable tubular member between the expansion cone and the sealed off first expanded portion of the expandable tubular member to force the expansion cone through the expandable tubular member to expand a second portion of the expandable tubular member” disclosed in the present application include the bottom packer 22 and expansion cone 24, as shown in Figs. 3-4 and described at paragraphs [0020] to [0021].

Brisco does not include any of the “means” elements detailed above recited in claim 42. Thus, Brisco does not disclose or suggest the invention of claim 42.

Furthermore, for at least the same reasons, Brisco also does not disclose or suggest the invention of claim 43, that depends from claim 42.

In addition, claim 43, among other things, recites “...means for moving the expansion cone with the actuator partially into the expandable tubular member to form the first expanded portion of the expandable tubular member.” The means for moving the expansion cone with the actuator partially into the expandable tubular member to form the first expanded portion of the expandable tubular member disclosed in the present application include the force multiplier 28, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020]. Brisco does not disclose or suggest this element of claim 43. Thus, for at least this additional reason, Brisco does not disclose or suggest the invention of claim 43.

Claim 44, as amended, recites:

44. (Currently Amended) A system for forming a mono diameter wellbore casing, comprising:

means for connecting an expansion device to a tubular support;

means for supportinganchoring an expandable tubular member [with]to the
tubular support at a position above the expansion device;

means for inserting the expandable tubular member into the a wellbore;

means for expanding a first portion of the expandable tubular member with the expansion device;
means for sealing off the first expanded portion of the expandable tubular member; and
means for pumping fluid into the expandable tubular member between the expansion device and the sealed off first expanded portion of the expandable tubular member to facilitate forcing the expansion device through the expandable tubular member to expand a second portion of the expandable tubular member.

The “means for expanding a first portion of the expandable tubular member with the expansion cone” disclosed in the present application include the force multiplier 28 and expansion cone 24, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

The “means for sealing off the first expanded portion of the expandable tubular member” disclosed in the present application include the bottom packer 22, as shown in Figs. 3-4 and described at paragraphs [0020] to [0021].

The “means for pumping fluid into the expandable tubular member between the expansion cone and the sealed off first expanded portion of the expandable tubular member to force the expansion cone through the expandable tubular member to expand a second portion of the expandable tubular member” disclosed in the present application include the bottom packer 22 and the expansion cone 24, as shown in Figs. 3-4 and described at paragraphs [0020] to [0021].

Brisco does not include any of the “means” elements detailed above recited in claim 44. Thus, Brisco does not disclose or suggest the invention of claim 44.

Furthermore, for at least the same reasons, Brisco also does not disclose or suggest the invention of claims 45-46, and 48, that depends from claim 42.

In addition, claim 45, among other things, recites: “...means for moving the expansion cone with the actuator partially into the expandable tubular member to form the first expanded portion of the expandable tubular member.” The means for moving the expansion cone with the actuator partially into the expandable tubular member to form the first expanded portion of the

expandable tubular member disclosed in the present application include the force multiplier 28, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020]. Brisco does not disclose or suggest this element or claim 45. Thus, for at least this additional reason, Brisco does not disclose or suggest the invention of claim 45.

REJECTION UNDER 35 U.S.C. § 103 – OOSTERLING ALONE

Claims 1, 3, 4, 9, 10, 18-21, 26-29, 34-37, and 42-45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over WO01/18354 to Oosterling (hereinafter “Oosterling”). The application respectfully disagrees.

Oosterling discloses an expansion system in which an expandable packer 40 is connected to a pre-expanded end of a casing 32. The system is assembled with an expansion cone 42 positioned within the pre-expanded end of the casing 32 that is connected to an end of a tubular support 52. The system is then positioned within a wellbore and the packer 40 is operated to anchor the pre-expanded end of the casing 32 to the wellbore. Once the pre-expanded end of the casing 32 is anchored to the wellbore by the packer 40, the expansion cone 42 is pulled upwardly through the casing 32 to radially expand the casing.

Claim 1, as amended, recites:

1. (Currently Amended) A bottom plug assembly for use in connection with an apparatus for forming a mono diameter wellbore casing, the apparatus of the type using an expandable tubular member carried into the a wellbore on a tubular support and expanded with an expansion cone connected to the tubular support, the bottom plug assembly comprising:

an expandable packer ~~attached~~ coupled to and positioned below the expansion cone;

an anchor device coupled to the tubular support for anchoring the expandable tubular member to the tubular support;

a packer setting mechanism coupled between the expansion cone and the expandable packer for expanding the expandable packer and sealingly setting the expandable packer in an expanded portion of the expandable tubular member; and

a release mechanism coupled between the expansion cone and the expandable packer for releasing the expandable bottom packer from the expansion cone so that fluid pumped into the

expandable tubular member between the expansion cone and the sealed and set expandable ~~bottom~~ packer will force the expansion cone into and through the expandable tubular member to expand the expandable tubular member.

By contrast, Oosterling does not disclose or suggest an anchoring device coupled to the tubular support 52 for anchoring the casing 32 to the tubular support. Thus, Oosterling does not disclose or suggest the invention of claim 1.

Furthermore, for at least the same reasons, Oosterling also does not disclose or suggest the invention of claims 3 and 4, that depend from claim 1.

Claim 9, as amended, recites:

9. (Currently Amended) A bottom plug assembly for use in connection with an apparatus for forming a mono diameter wellbore casing, the apparatus of the type using an expandable tubular member carried into ~~the~~ a wellbore on a tubular support and expanded with an expansion device connected to the tubular support, the bottom plug assembly comprising:

an expandable packer ~~attached~~ coupled to and positioned below the expansion device;

an anchor device coupled to the tubular support for anchoring the expandable tubular member to the tubular support;

a packer setting mechanism coupled between the expansion device and the expandable packer for expanding the expandable packer and sealingly setting the expandable packer in an expanded portion of the expandable tubular member; and

a release mechanism coupled between the expansion device and the expandable packer for releasing the expandable ~~bottom~~ packer from the expansion device so that fluid pumped into the expandable tubular member between the expansion device and the sealed and set expandable ~~bottom~~ packer will facilitate forcing the expansion device into and through the expandable tubular member to expand the expandable tubular member.

Claim 18, as amended, recites:

18. (Currently Amended) A method for forming a mono diameter wellbore casing, comprising:

connecting an expansion cone to a tubular support;

coupling an expandable bottom packer to and below the expansion cone;
~~anchoring~~ supporting the an expandable tubular member [with] to the tubular support at a
position above the expansion cone;
inserting the expandable tubular member into ~~the~~ a wellbore;
expanding a first portion of the expandable tubular member with the expansion cone;
sealingly setting the expanded expandable bottom packer in the first expanded portion of
the expandable tubular member; ~~and~~
releasing the expandable bottom packer from the expansion cone; and
pumping fluid into the expandable tubular member between the expansion cone and the set
and expanded expandable bottom packer to force the expansion cone through the expandable
tubular member to expand a second portion of the expandable tubular member.

By contrast, Oosterling does not disclose or suggest an anchoring device coupled to the
tubular support 52 for anchoring the casing 32 to the tubular support. Thus, Oosterling does not
disclose or suggest the invention of claim 18.

Claim 20, as amended, recites:

20. (Currently Amended) A method of forming a mono diameter wellbore casing,
comprising:

connecting an expansion device to a tubular support;
coupling an expandable bottom packer to and below the expansion device;
~~supporting~~ anchoring an expandable tubular member ~~with~~ to the tubular support at a position
above the expansion device;
inserting the expandable tubular member into ~~the~~ a wellbore;
expanding a first portion of the expandable tubular member with the expansion device;
sealingly setting the expanded bottom packer in the first expanded portion of the
expandable tubular member; ~~and~~
releasing the expandable bottom packer form the expansion device; and
pumping fluid into the expandable tubular member between the expansion device and the
set and expanded expandable bottom packer to facilitate forcing the expansion device through the
expandable tubular member to expand a second portion of the expandable tubular member.

By contrast, Oosterling does not disclose or suggest an anchoring device coupled to the tubular support 52 for anchoring the casing 32 to the tubular support. Thus, Oosterling does not disclose or suggest the invention of claim 20.

Furthermore, for at least the same reasons, Oosterling also does not disclose or suggest the invention of claim 21, that depends from claim 20.

Claim 26, as amended, recites:

26. (Currently Amended) A method for forming a mono diameter wellbore casing, comprising:

connecting an expansion cone to a tubular support;

~~supporting~~anchoring an expandable tubular member [with]to the tubular support

at a position above the expansion cone;

then inserting the expandable tubular member into ~~the~~ a wellbore;

then expanding a first portion of the expandable tubular member with the
expansion cone;

then sealing off the first expanded portion of the expandable tubular member;

and

then pumping fluid into the expandable tubular member between the expansion
cone and the sealed off first expanded portion of the expandable tubular
member to force the expansion cone through the expandable tubular member
to expand a second portion of the expandable tubular member.

By contrast, in Oosterling, the lower end of the casing 32 is pre-expanded before insertion into the wellbore. Thus, Oosterling does not disclose or suggest the invention of claim 26.

Furthermore, for at least the same reasons, Oosterling also does not disclose or suggest the invention of claim 27, that depends from claim 26.

Claim 28, as amended, recites:

28. (Currently Amended) A method for forming a mono diameter wellbore casing, comprising:

connecting an expansion device to a tubular support;

~~supporting~~anchoring an expandable tubular member [with] to the tubular support

at a position above the expansion device;

then inserting the expandable tubular member into ~~the~~ a wellbore;

then expanding a first portion of the expandable tubular member with the expansion device;

~~sealingly~~ then sealing off the first expanded portion of the expandable tubular member; and

then pumping fluid into the expandable tubular member between the expansion device and the sealed off first expanded portion of the expandable tubular member to facilitate forcing the expansion device through the expandable tubular member to expand a second portion of the expandable tubular member.

By contrast, in Oosterling, the lower end of the casing 32 is pre-expanded before the insertion into the wellbore. Thus, Oosterling does not disclose or suggest the invention of claim 28.

Furthermore, for at least the same reasons, Oosterling does not disclose or suggest the invention of claim 29, that depends from claim 28.

As presented, claims 34-37 and 42-45 include claim limitations drafted using “means plus function” language.

Because these claims are drafted using “means plus function” claim language (see 35 U.S.C. § 112, 6th paragraph), such language must be interpreted to read only the structures or

materials disclosed in the specification and “equivalents thereof” that correspond to the recited function. See MPEP § 2106. Put differently, when an element is claimed using language failing under the scope of 35 U.S.C. § 112, 6th paragraph, the specification must be consulted to determine the structure, material, or acts corresponding to the function recited to the claim. MPEP § 2111.01, citing in *In re Donaldson*, 16 F.3d 1189 (Fed. Cir. 1994). Thus, with respect to claims 34-37 and 42-45, the specification must be examined to determine what means are disclosed.

Claim 34, as amended, recites:

34. (Currently Amended) A system for forming a mono diameter wellbore casing, comprising:

means for connecting an expansion cone to a tubular support;

means for coupling an expandable bottom packer to and below the expansion cone;

means for ~~supporting~~anchoring an expandable tubular member [with] to the

tubular support at a position above the expansion cone;

means for inserting the expandable tubular member into ~~the~~ a wellbore;

means for expanding a first portion of the expandable tubular member with the expansion cone;

means for sealingly setting the expanded expandable bottom packer in the first expanded portion of the expandable tubular member;

means for releasing the expandable bottom packer from the expansion cone; and

means for pumping fluid into the expandable tubular member between the expansion cone and the set and expanded expandable bottom packer to force the expansion cone through the expandable tubular member to expand a second portion of the expandable tubular member.

The “means for anchoring an expandable tubular member to the tubular support at a position above the expansion cone” disclosed in the present application include the anchor 26, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

The “means for expanding a first portion of the expandable tubular member with the expansion cone” disclosed in the present application include the force multiplier 28 and expansion cone 24, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

Oosterling does not include any of the “means” elements detailed above recited in claim 34. Thus, Oosterling does not disclose or suggest the invention of claim 34.

Furthermore, for at least the same reasons, Oosterling also does not disclose or suggest the invention of claim 35, that depends from claim 34.

In addition, claim 35 recites: “...means for moving the expansion cone with the actuator partially into the expandable tubular member to form the first expanded portion of the expandable tubular member.” This means element of claim 35 is disclosed in the present application as the force multiplier 28, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020]. Oosterling does not disclose this element of claim 35. thus, for at least this additional reason, Oosterling does not disclose or suggest the invention of claim 35.

Claim 36, as amended, recites:

36. (Currently Amended) A system for forming a mono diameter wellbore casing, comprising:

means for connecting an expansion device to a tubular support;

means for coupling an expandable bottom packer to and below the expansion device;

means for ~~supporting~~anchoring an expandable tubular member [with] to the tubular support at a position above the expansion device;

means for inserting the expandable tubular member into the a wellbore;

means for expanding a first portion of the expandable tubular member with the expansion means for expanding for sealingly setting the expanded expandable bottom packer in the first expanded portion of the expandable tubular member;

means for releasing the expandable bottom packer from the expansion device; and

means for pumping fluid into the expandable tubular member between the expansion device and the set and expanded expandable bottom packer to facilitate forcing the expansion device through the expandable tubular

member to expand a second portion of the expandable tubular member.

The “means for anchoring an expandable tubular member to the tubular support at a position above the expansion cone” disclosed in the present application include the anchor 26, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

The “means for expanding a first portion of the expandable tubular member with the expansion means for sealingly setting the expanded expandable bottom packer in the first expanded portion of the expandable tubular member” disclosed in the present application include the force multiplier 28 and expansion cone 24, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

Oosterling does not include any of the “means” elements detailed above the recited in claim 36. Thus, Oosterling does not disclose or suggest the invention of claim 34.

Futhermore, for at least the same reasons, Oosterling also does not disclose or suggest the invention of claim 37, that depends from claim 36.

In addition, claim 37 recites: “...means for moving the expansion cone with the actuator partially into the expandable tubular member to form the first expanded portion of the expandable tubular member.” This means element of claim 37 is disclosed in the present application as the force multiplier 28, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020]. Oosterling does not disclose this element of claim 37. Thus, for at least this additional reason, Oosterling does not disclose or suggest the invention of claim 37.

Claim 42, as amended, recites:

42. (Currently Amended) A system for forming a mono diameter wellbore casing, comprising:

means for connecting an expansion cone to a tubular support;

means for ~~supporting~~anchoring an expandable tubular member [with]to the tubular support at a position above the expansion cone;

means for inserting the expandable tubular member into the a wellbore;

means for expanding a first portion of the expandable tubular member with the expansion cone;

means for sealing off the first expanded portion of the expandable tubular member; and

means for pumping fluid into the expandable tubular member between the expansion cone and the sealed off first expanded portion of the expandable tubular member to force the expansion cone through the expandable tubular member to expand a second portion of the expandable tubular member.

The “means for anchoring an expandable tubular member with the tubular support at a position above the expansion cone” disclosed in the present application include the anchor 26, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

The “means for expanding a first portion of the expandable tubular member with the expansion cone” disclosed in the present application include the force multiplier 28 and expansion cone 24, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

Oosterling does not include any of the “means” elements detailed above recited in claim 42. Thus, Oosterling does not disclose or suggest the invention of claim 42.

Futhermore, for at least the same reasons, Oosterling also does not disclose or suggest the invention of claim 43, that depends from claim 42.

In addition, claim 43 recites: “...means for moving the expansion cone with the actuator partially into the expandable tubular member to form the first expanded portion of the expandable tubular member.” This means element of claim 43 is disclosed in the present application as the force multiplier 28, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020]. Oosterling does not disclose this element of claim 43.

Thus, for at least this additional reason, Oosterling does not disclose or suggest the invention of claim 43.

Claim 44, as amended, recites:

44. (Currently Amended) A system for forming a mono diameter wellbore casing, comprising:

means for connecting an expansion device to a tubular support;

means for supporting~~ing~~anchoring an expandable tubular member [with]~~to~~the tubular support at a position above the expansion device;

means for inserting the expandable tubular member into the a wellbore;

means for expanding a first portion of the expandable tubular member with the expansion device;

means for sealing off the first expanded portion of the expandable tubular member; and

means for pumping fluid into the expandable tubular member between the expansion device and the sealed off first expanded portion of the expandable tubular member to facilitate forcing the expansion device through the expandable tubular member to expand a second portion of the expandable tubular member.

This “means for anchoring an expandable tubular member with the tubular support at a position above the expansion cone” disclosed in the present application include the anchor 26, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

The “means for expanding a first portion of the expandable tubular member with the expansion cone” disclosed in the present application include the force multiplier 28 and expansion cone 24, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020].

Oosterling does not include any of the “means” elements detailed above recited in claim 44. Thus, Oosterling does not disclose or suggest the invention of claim 44.

Furthermore, for at least the same reasons, Oosterling also does not disclose or suggest the invention of claim 45, that depends from claim 44.

In addition, claim 45 recites: “...means for moving the expansion cone with the actuator partially into the expandable tubular member to form the first expanded portion of the expandable tubular member.” This means element of claim 45 is disclosed in the present application as the force multiplier 28, as shown in Figs. 1-3 and described at paragraphs [0012] to [0020]. Oosterling does not disclose this element of claim 45. Thus, for at least this additional reason, Oosterling does not disclose or suggest the invention of claim 45.

REJECTION UNDER 35 U.S.C. § 103 – OOSTERLING IN VIEW OF BARRINGTON

Claim 2 was rejected **under 35 U.S.C. § 103(a)** as being unpatentable over Oosterling in view of U.S. 5,297,629 to Barrington et al (hereinafter “Barrington”). The Application respectfully disagrees.

Barrington discloses a well test string that includes an expandable packer 10a. However, Barrington does not disclose or suggest any of the elements missing from Oosterling.

Thus, since claim 2 depends from claim 1, as detailed above, the combination of Oosterling and Barrington does not disclose or suggest the invention of claim 2.

REJECTION UNDER 35 U.S.C. § 103 – OOSTERLING IN VIEW OF GILL AND SIVLEY

Claims 11-17, 21-25, 30-33, 38-41, and 46-49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Oosterling in view of US 5,667,011 to Gill et al (hereinafter “Gill”) or in view of US 6,607,220 to Sivley (hereinafter “Sivley”). The Application respectfully traverses.

Gill discloses a method of creating a casing in a wellbore that uses an expansion mandrel 15.

Sivley discloses a radially expandable tubular connection that may be expanded using conventional expansion devices.

However, Gill and Sivley do not alone, or in combination, disclose the elements missing from Oosterling as detailed above with reference to claims 9, 20, 28, 36, and 44.

Thus, the combination of Oosterling with either, or both, of Gill and Sivley, does not disclose or suggest the invention of any of the claims 11-17, 21-25, 30-33, 38-41, and 46-19.

NO WAIVER

All of Applicants’ arguments and amendments are without prejudice or disclaimer. Additionally, Applicants have merely discussed example distinctions from the Oosterling reference. Other distinctions may exist, and Applicants reserve the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicants do not acquiesce to the Examiner’s additional statements, such as, for example, any statements relating to what would be obvious to a person or

ordinary skill in the art. The example distinctions discussed by Applicants are sufficient to overcome the anticipation and obviousness rejections.

CONCLUSION


The applicants respectfully request reconsideration of the pending claims and that a timely Notice of Allowance be issued in this case. If the examiner feels that a telephone conference would expedite the resolution of this case, the examiner is invited to contact the undersigned.

In the course of the foregoing discussions, the applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. There may also be other distinctions between the claims and the prior art that have yet to be raised, but that may be raised in the future.

Unless the applicants have specifically stated that an amendment was made to distinguish the prior art, it was the intent of the amendment to further clarify and better define the claimed invention and the amendment was not for the purpose of patentability. Further, although the applicants may have amended certain claims, the applicants have not abandoned their pursuit of obtaining the allowance of these claims as originally filed and reserve, without prejudice, the right to pursue these claims in a continuing application.

No extensions of time or fees, beyond those that may otherwise be provided for in documents accompanying this paper, should be required. However, if additional extensions of time are necessary, such extensions are petitioned under 37 C.F.R. § 1.136(a). If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Deposit Account Number 50-3953 (ref. 2725-11408) of Conley Rose, P.C., Houston, Texas.

Respectfully submitted,
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